REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 1-42 are currently pending in this application.

Interview Summary, Required Under 37 CFR § 1.133(b)

Prior to issuing the outstanding Office Action, Primary Examiner Boccio called the undersigned to discuss the case, and, more particularly, to discuss the claim amendments made in the May 12, 2004 Response primarily vis-à-vis the Browne et al. reference (PCT Published Application No. 92/22983). No agreement was reached. The undersigned thanks Mr. Boccio for the courtesies extended during that telephone conversation.

Restriction Based on Original Presentation

The Office Action indicates that claims 27, 29, 31, 33, 35 and 38 are withdrawn from consideration as drawn to an invention that is independent or distinct from the invention as original claimed. In response, the above listing of claims identifies claims 27, 29, 31, 33, 35 and 38 as withdrawn. Applicant reserves the right to pursue the subject matter recited in these claims in a continuation application.

Objection to the Claims

The Office Action identifies a misspelling in claim 1. The above-identified amendments to claim 1 correct this misspelling. Accordingly, the Applicant respectfully requests the objection to claim 1 be withdrawn.

35 U.S.C. § 103(a) Rejections

Claims 1, 8, 9, 17, 23, 25, 26, 30 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over PCT Published Application No. WO 92/22983 to Browne et al. (referred to as "Browne" below). Claims 2-7, 10-16, 18-22, 28, 32, 36 and 37 were

rejected under 35 U.S.C. § 103(a) as being unpatentable over Browne in view of U.S. Patent No. 6,324,338 to Wood et al. (referred to below as "Wood"). And claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Browne in view of U.S. Patent No. 6,581,207 to Sumita et al. (referred to below as "Sumita"). Applicant respectfully traverses these rejections for the following reasons.

As amended, independent claim 1 recites a method comprising: automatically selecting a candidate program to record; identifying the candidate program in a first part of a time-dependent buffer arrangement, to provide candidate information; recording content associated with the selected candidate program; and identifying the recorded content in a second part of the time-dependent buffer arrangement, to provide recorded program information, wherein the candidate information and the recorded program information define program-related information. Claim 1 further recites that the program-related information advances through the time-dependent buffer arrangement in the manner of a shift register, wherein an order of program-related information in the time-dependent buffer arrangement defines a temporal order for presenting programs corresponding to the program-related information to a viewer. Claim 1 further recites presenting a stream of programs to the viewer based on the temporal order identified by the time-dependent buffer arrangement. Among the many exemplary benefits of such a method, the time-dependent buffer arrangement provides a stream of select programs to the viewer in a defined sequence without requiring the viewer to make burdensome operations to select and activate each individual stored program (as is frequently the case in known systems). Exemplary support for the subject matter added to claim 1 in this Response can be found at least on page 12, line 18 to page 13, line 5 of the specification.

None of the applied documents discloses the above-identified combination of features, whether these documents are considered alone or in any combination. For instance, Browne discloses a multi-source recorder player 100 having a FIFO buffer 104c. The FIFO buffer 104c temporarily caches programs from a selection of channels on a FIFO basis and retains certain of those programs as selected by a user, or as selected by the user's viewing patterns recognized by a neural network analysis circuit 114 (page 7, lines 24-29). After user or neural network selection, the program is retained by being added to a stored program list 600 (page 7, lines 29-31). The memory is cycled because the FIFO buffer 104c causes only selected desired programming to be stored in storage section 104 and listed in the stored program list 600 (page 6, line 33 to page 7, line 3). Fig. 6 shows an example of the stored program list 600. The storage list may indicate whether the listed program has been recorded or has been viewed (page 24, line 32 to page 25, line 2).

The above-identified features do not meet the subject matter identified in claim 1, such as the unique time-dependent buffer arrangement, wherein "an order of program-related information in the time-dependent buffer arrangement defines a temporal order for presenting programs corresponding to the program-related information to a viewer." Browne also does not meet the recitation of claim 1 which calls for "presenting a stream of programs to the viewer based on the temporal order identified by the time-dependent buffer arrangement."

The Office Action emphasizes two features of Browne in making the rejection: its various FIFO modes of operation (e.g., described at page 19, line 6 et seq.) and the program list 600 (e.g., shown in Fig. 6). With respect to the FIFO modes, FIFO-cycled memory in personal video recorder devices are, of course, known, as acknowledged by

page 2, lines 15-20 of Applicant's own specification. However, these FIFO-cycled memories merely present necessary paradigms for deciding what program data should be erased to make room for the storage of new program data. These FIFO-cycled memories – including Browne's – do not capture *a temporal order for presenting programs* to a viewer. In other words, in Browne's device, once the programs are stored in memory, the viewer may select an individual program, presumably anywhere within the memory, and present it for viewing (e.g., note page 13, lines 11-13, which recites that "Program viewing typically involves retrieving a program stored in the storage section 104 and/or viewing an incoming program from sources 101a-101h"). There is thus no suggestion that Browne's device uses its FIFO-cycled memory to present a stream of programs in the manner claimed to achieve the unique benefits of the present invention.

Likewise, Browne's program list 600 does not capture a *temporal order for presenting programs* to a viewer. Again, the viewer in the case of Browne can select any individual program identified in the list, presumably anywhere in the list (as reflected by the fact that Fig. 6 indicates that a program in the middle of the list of programs has been checked off as viewed). There is no suggestion that Browne's device uses the program list 600 to present a *stream* of programs in the manner claimed.

Wood is likewise deficient. Wood discloses a processor 101 coupled in communication with a channel guide database 103, a criteria database 104, and video storage 105 (column 2, lines 39-41). The criteria database 104 provides criteria for selection of programming from the channel guide database (column 3, lines 22 and 23). Based on matches between the criteria database 104 and the channel guide database 103, the processor 101 causes video input signals to be recorded in video storage 105 (column 3, lines 24-27). Wood describes one embodiment in which a user may set up personal

channels. Personal channels define logical organizations of recorded shows (see col. 7 and Fig. 10 of Wood).

Wood's Fig. 10 shows a series of programs associated with personal channels in an EPG-type interface. But there is no suggestion that Wood's device presents these programs in a *stream* as claimed. In other words, the personal channel provides a storage paradigm that is analogous to a file collection, where a user can pick any entry from the file. There is no indication that the entries are strung together and presented as a stream. Moreover, Wood's personal channels do not identify a candidate program in a first part of a time-dependent buffer arrangement and identify recorded content in a second part of the time-dependent buffer arrangement as claimed. For instance, Wood's Fig. 10 does not group entries into different view-related status categories, which indicates that its underlying storage mechanism also does not group entries in this manner.

Sumita is also deficient with respect to amended claim 1. Sumita discloses an information filtering unit 2 which receives programs and an electric program guide from a broadcasting station 1, and performs analysis on this information (column 4, lines 39-48). The analysis of the filtering unit 2 is delivered to video equipment 4 on the user side, which uses this information to automatically record a broadcast directly received from the broadcasting station 1 (column 4, lines 48-57).

Sumita does not employ the features identified in claim 1, such the unique time-dependent buffer arrangement in which program-related information advances through in the manner of a shift register. Sumita also does not suggest the presentation of a stream of programs to the viewer based on a temporal order identified by the time-dependent buffer arrangement.

For at least the above-identified reasons, the Applicant submits that claim 1 is allowable over Browne, Wood and Sumita, whether these documents are considered alone or in any combination. Independent claims 9 and 17 recite related subject matter to claim 1, and are therefore allowable for reasons similar to those specified above.

The remainder of the rejected claims depend variously on claims 1, 9 and 17, and are therefore allowable for at least this reason.

For at least the above-identified reasons, the Applicant respectfully requests that the § 103 rejections be withdrawn.

Newly Added Claims

New claim 39 is allowable at least by virtue of the fact that it depends on claim 1, discussed above.

Independent claim 40 has also been added. This claim recites related features to independent claims 1, 9 and 17 and is therefore allowable for reasons similar to those stated above. Claims 41 and 42 depend on claim 40 and are allowable for at least that reason.

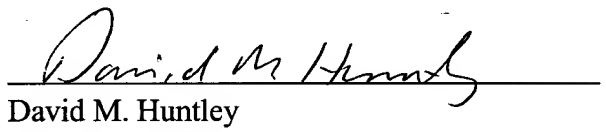
Conclusion

To clarify the record, the arguments presented above are not exhaustive; Applicant reserves the right to present additional arguments to fortify its position. Further, Applicant reserves the right to challenge the prior art status of one or more documents cited in the Office Action.

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance and such allowance is respectfully solicited. The Examiner is urged to contact the undersigned if any issues remain unresolved by this Amendment.

Respectfully Submitted,

Dated: October 27, 2004

By: 

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